

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

---

Michael Brodkorb,	)	File No.: 12-CV-01958 (SRN/AJB)
	)	
Plaintiff,	)	
vs.	)	
	)	
The Minnesota Senate,	)	<b>AFFIDAVIT OF</b>
	)	<b>MICHAEL B. BRODKORB</b>
Defendants.	)	
	)	

---

STATE OF MINNESOTA    )  
  ) ss.  
COUNTY OF RAMSEY    )

Michael B. Brodkorb, being first duly sworn under oath, states as follows:

1. I am the plaintiff in the above entitled action and I have firsthand knowledge of the matters asserted herein.
2. This Affidavit is made by your Affiant in response to Defendant's sanction motion against your Affiant and the law firms of Villaume & Schiek, P.A. and Walsh & Gaertner, P.A.
3. At approximately 4:25 p.m. on July 3, 2013, your Affiant received a telephone call from Gregory Walsh who advised me of the mistaken public filing and also informed me of the actions taken to remove the documents from public viewing.
4. At approximately 4:50 p.m. on July 3, 2013, your Affiant was notified by Mr. Walsh that Doug Glass of the Associated Press was in possession of the documents filed on-line. Mr. Walsh advised me of the steps he and Mr. Villaume were taking with regard to the mistaken filing.

5. At approximately 5:00 p.m. on July 3, 2013, your Affiant received a telephone call from Tom Scheck of Minnesota Public Radio. Mr. Scheck informed me he was in possession of the documents mistakenly filed on-line.

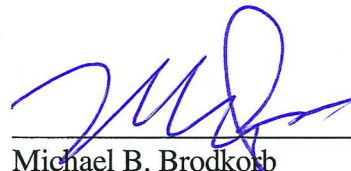
6. After receiving the telephone call from Mr. Scheck I again contacted Mr. Walsh. To the best of your Affiant's knowledge, Mr. Walsh contacted Mr. Scheck and his supervisor Mike Mulcahy.

7. At approximately 5:20 p.m. Mr. Walsh contacted your Affiant and informed me that as an officer of the court he had a duty to contact the Magistrate Judge and counsel for the Defendant and inform them of the events that had transpired. To the best of your Affiant's knowledge Mr. Walsh and Mr. Villaume spoke with the Magistrate Judge Boylan and counsel for the Minnesota Senate regarding the misfiled documents.

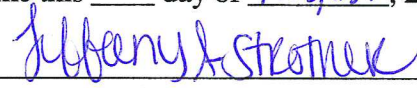
8. At no time did your Affiant suggest, demand, request or instruct Mr. Villaume or Mr. Walsh, or any member of their staff, to disclose documents or information classified under the terms of the Protective Order.

9. Your Affiant was not involved in the filing of the documents and first learned of it when Mr. Walsh contacted me.

**Further your Affiant sayeth not.**

  
Michael B. Brodtkorb

Subscribed and sworn to before  
me this 22 day of August, 2013.

  
\_\_\_\_\_  
Notary Public

